

FEB 05 2003  
PATENT & TRADEMARK OFFICE

In re the application of: Todd M. Kinsella

Case Docket No. RGV-003

U.S. Serial No.: 09/712,821

Filing Date: November 13, 2000

For: "Methods and Compositions for Screening Using  
Diphtheria Toxin Constructs

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing in connection with the above-identified application are the following:

- ☒ Amendment and Response to Restriction Requirement;
- ☒ Request for One-Month Extension of Time (*in duplicate*);
- ☒ Prepaid Acknowledgment Postcard.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA
TOTAL	* 50	MINUS	** 31	=	19
INDEP.	* 5	MINUS	*** 7	=	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

SMALL ENTITY	
RATE	ADDIT. FEE
x 9 =	\$0.00
x 42 =	\$0.00
+140 =	\$0.00
TOTAL ADDIT. FEE	\$0.00

OTHER THAN A SMALL ENTITY	
RATE	ADDIT. FEE
x 18 =	\$ 342.00
x 84 =	\$0.00
+ 280 =	\$0.00
TOTAL	\$342.00

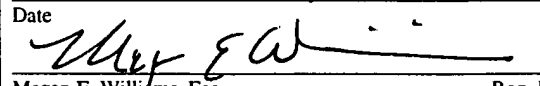
- \* If the entry in Col 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.


- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-0080. *A duplicate copy of this sheet is enclosed.*
  - ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
  - ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. Applicants request any extensions of time necessary to respond.

**Certificate of First Class Mailing (37 C.F.R. 1.8(a))**

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

Date January 27, 2003  
  
Megan E. Williams, Esq. Reg. No. 43,270

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Date: January 27, 2003

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Signature:

(Megan E. Williams)

Docket No.: RGV-003  
(PATENT)

FEB 05 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Todd M. Kinsella

Application No.: 09/712,821

Group Art Unit: 1639

Filed: November 13, 2000

Examiner: Ponnaluri, Padmashri

For: Methods and Compositions for Screening Using  
Diphtheria Toxin Constructs

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AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Please amend the application as follows (for the convenience of the Examiner all of the claims, whether or not amended, are presented below):

In the claims:

13. An expression vector comprising:

a) nucleic acid encoding a Heparin-Binding Epidermal growth factor-like Growth Factor (HBEGF); b) nucleic acid encoding a Green Fluorescent Protein (GFP).

14. An expression vector according to claim 13 further comprising: a) an internal ribosome entry site (IRES).

15. An expression vector according to claim 14, wherein said IRES site is between said nucleic acid encoding said HBEGF and said nucleic acid encoding said GFP.

16. An expression vector according to claim 13 or 15 wherein said nucleic acid

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